

ACT UP

MINNESOTA

AIDS Coalition To Unleash Power!

June 1990

Brutal Police Nature Displayed By Vicious AIDS-Phobic Poster Poster Hangs in Mpls. 3rd Precinct Commanders Office

A vicious AIDS-phobic poster hangs in public view at the 3rd Precinct Police Station, 3000 Minnehaha Ave. in South Minneapolis. An ACT UP member saw the poster from a corridor open to the public. The poster hangs above and behind the desk in an office shared by precinct watch commanders. The precinct is commanded by Inspector Stralow until 3:30 weekdays after which Lieutenant Lindquist takes charge.



The poster is a photocopy of a vicious pitbull with the wording, "Protected by a Pitbull with AIDS". ACT UP finds this poster violent, terroristic and, discriminatory. It reeks of the fascist enforcement of AIDS genocide.

As commanding officers, Lunquist and Stralow are responsible for accurate AIDS information to be given to their police staff. With PIG leadership like this it is no wonder why so much brutality occurs. Police do not believe medical scientists when they are told that AIDS is not spread by skin, spitting, or saliva contact. Even blood on skin contact couldn't give an officer AIDS. The commander's poster only perpetuates these common hysteric police beliefs.

In a police magazine, THE POLICE CHIEF December 1989, an article entitled "Special Focus On Infectious Disease" states, "Many rank and file officers are unreceptive, for example, to AIDS educators identified with the Gay community." The article suggests, "Pre-existing in-house trainers are seen as the best personnel to provide job-related AIDS education." With commanders/educators such as Stralow and Linquist providing AIDS-phobic information, ACT UP wonders if there is any accurate AIDS information reaching patrol officers.

Minnesota Commissioner of Health, Sister Mary Madonna Ashton has stated repeatedly that she has educated Minnesota law enforcement personnel on AIDS. What is she teaching them?



How many officers do you see on a day-to-day basis with gloves on, unless they're dealing with gay people? Police officer on-duty in the 3rd precinct at Gay Pride.

Hennepin Co. Attorney Criminalizing HIV

Perhaps the most appalling case of persecution of HIV positive persons resulting from AIDS hysteria in Minnesota is the prosecution of Madeline Rodriguez by our supposedly liberal, DFL controlled Hennepin County Attorney's office. Ms. Rodriguez was originally charged with attempted first degree and second degree assault after allegedly spitting blood and saliva on a police officer. The charges were later increased to attempted murder. Ms. Rodriguez's version is that she was hit in the mouth with a billy club while trying to keep the police from beating her son.

But whatever account best represents what really happened in this incident, Melissa Tarleton, a manager with the national AIDS Hotline, was quoted in the STAR TRIBUNE December 4, 1989 account of this case as saying that the chances of AIDS being transmitted this way are, "So remote it isn't even a possibility." Dr. Frank Rhame at the University of Minnesota Medical School has compared it to shoving 100,000 and having one of them die as a result.

Even though Ms. Rodriguez did not exercise her right to refuse testing, there is still the question of how her HIV status end up being splashed all over the media. Minnesota Statutes 144.767 and 144.768 provide that such information is private and confidential and is to be released only to the person tested, the person exposed and to any emergency medical services agency that employs the person exposed. Minnesota Statutes 144.769 provides that the unauthorized release of this information is a misdemeanor.

M.S. 609.221 defines first degree assault as inflicting great bodily harm. M.S. 609.02 Subd. 8 defines great bodily harm as "bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm. M.S. 609.222 defines second degree assault as assault with a dangerous weapon which M.S. 609.02, Subd. 6 defines as "any firearm whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, or any flammable liquid or other device or instrument that is used or intended to be used, is calculated or likely to produce death or great bodily harm. Given the statements of Melissa Tarleton and Dr. Frank Rhame, Ms. Rodriguez's actions, even if the police version is true, would meet none of the conditions for first degree or second degree assault except, possibly the conditions involving intent or calculation to produce death



Madeline Rodriguez

or great bodily harm. The last consideration involves the question of whether a person has to use a method that has any likelihood of working.

Although there was no ethical or medical justification for prosecuting Ms. Rodriguez, the legal basis for the prosecution rest on the question of whether one has to use a method that has a chance of working in order to be found guilty. According to an article by Robert Massa, "The Skin of Our Teeth," in the December 26, 1989 VILLAGE VOICE, some states won't allow a conviction of attempted murder unless the accused acted in a way that to a reasonable person could cause death. But other states do not require the reasonable person test. In Mississippi, a man was convicted of attempted murder for merely hiring a witch doctor to perform a voodoo spell. Massa's article is about the case of Gregory Scroggins who is serving a ten year sentence in Georgia for being HIV positive and biting a police officer. M.S. 609.17, Subd. 2 states that "An act may be an attempt notwithstanding the circumstances under which it was performed or the means employ to commit the crime were not possible, unless such impossibility would have been clearly evident to a person of normal understanding." The legal basis of the Rodriguez prosecution rests on whether "person of normal understanding" means "reasonable person" or "person of average understanding or intelligence." Even under the latter interpretation the prosecution should have still been required to prove that the average person in Minnesota believed that the HIV virus could be transmitted by spitting blood and saliva on to another person.

It would then have been up to Minnesota's courts to decide whether our state belonged in the company of Mississippi and Georgia or in the company of those more enlightened states that use reasonable person test. But regardless of the legal esoterica of this case the prosecution of Madeline Rodriguez by our supposedly liberal county attorney, made many of us wonder if we weren't dealing with some redneck yahoo.

Philip Morris Boycott

Philip Morris is the single largest and longest corporate contributor to the election campaigns of Helms. The company boasts of donating for 13 years and has been more consistent than any other company in their contributions. Helms spells death for people with AIDS because of his maniacal efforts against gays and lesbians. His latest victory was attaching a blood sucker ammendment allowing discrimination against people with AIDS working in the food service industry to the Senate version of the Disabilities Act.

ACT UP MN is suggesting volunteers work on Senate '90, the campaign of North Carolina Democratic Primary winner Harvey Gantt, former mayor of Charlotte, NC, who will opose Helms for his U.S. Senate seat. Several MN ACT UP members are planning now to work on Senate Vote '90 for the fall election. A kickoff fundraising spaghetti dinner is being planned and we urge other activists to help raise money. In a recent Mpls. rally for the National Endowment for the Arts, two businessmen from North Carolina appeared stating that, "because he wasn't quite right", they wanted to, "call old Jesse(Helms) home." Locally our own Senator Boschwitz is leading the fundraising FOR Helms.



Contributions sent to:
HARVEY GANTT FOR U.S. SENATE
 North Carolina Democratic Party
 P.O. Box 25277
 Raleigh, NC 27611-5277



Local arts institutions face a dilemma. The Walker Art Center is negotiating for substantial funding from Philip Morris Company while at the same time participating in protesting Helm's NEA attack which is funded by the Philip Morris Company. Walker Art Center is also supportive of Arts Over AIDS. Large corporations often pad controversial issues with hefty dollar donations. WALKER, CHOOSE!

Cigarettes

Marlboro
 Merit
 Virginia Slims
 Benson & Hedges
 Parliment
 Cambridge
 Alpine
 Chesterfield
 Lark



FOODS

- Baker's Chocolate
- Bird's Eye Vegetables
- Dream Whip
- D-Zerta
- Entenmann's Baked Goods
- Frusen Gladje
- General Foods
- Good Seasons Salad Dressings
- Jello
- Kraft
- Lender's Bagels
- Light 'N Lively
- Log Cabin
- Louis Rich Meats
- Minute Rice
- Open Pit Barbecue Sauce
- Oscar Mayer Meats
- Philadelphia Cream Cheese
- Post Cereal
- Ronzoni Pasta
- Shake 'N Bake
- Tombstone Pizza

BEVERAGES

- Country Time Lemonade
- Kool Aid
- Lowenbrau Beer
- Maxwell House Coffee
- Meister Brau Beer
- Miller Beer
- Sanka
- Tang
- Yuban

ACT UP because AIDS is genocide! ACT UP because people with AIDS must have a say in choosing treatments to be tested, and in designing trials! **ACT UP because over 300,000 people worldwide have died of AIDS! ACT UP** because the INS deports people with AIDS and HIV infection! **ACT UP because AZT isn't free! ACT UP** because there is no national health care! **ACT UP** because women are the fastest growing group affected by AIDS! **ACT UP** because fags & dykes are under attack! **ACT UP** because nearly 50% of the people living with AIDS are people of color! **ACT UP** because there is no legal needle exchange! **ACT UP** because we die & they do nothing! **ACT UP** because tens of thousands of homeless people have AIDS! **ACT UP** because HIV discrimination must end! **ACT UP** because there is 1 AIDS death every 11 minutes! **ACT UP** because out of 15 drugs targeted by health officials in 1985 as "high priority", 7 still have not been tested! **ACT UP** because people of color are excluded from drug trials! **ACT UP** because the FDA has approved only 3 drugs for use against AIDS! **ACT UP** because women are routinely excluded from drug trials!

**THIS FACILITY IS UNDER
SURVEILLANCE BY THE**

**AIDS COALITION TO
UNLEASH POWER**

ACT UP

AIDS IS GENOCIDE!

ACT UP, the AIDS Coalition To Unleash Power, is a diverse, non-partisan group of individuals united in anger and committed to direct action to end the AIDS crisis.

RESIST CONTRACT TRACING

If you test positive for the HIV virus, and you are asked for the names of your sexual or intravenous drug-sharing partners, attach your local telephone book to the form requesting such disclosure. If you had sex or shared needles with one person, you have also had sex or shared needles or had sex with all of their partners as promoted by the America Responds to AIDS campaign.

Encourage your state and local office of public health to mail a circular to its residents advising them of HIV testing and counseling services instead of conducting a house-to-house search for contacts. This brochure could include the warning that the recipient may have been exposed or may have exposed someone to the HIV virus. Public health officials tend to assume when contact tracing that the tested party is the exposé rather than the reverse.

**IF YOU ARE CONTACTED, DEMAND THE
RIGHT TO KNOW "THE ACCUSER."**

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ACT UP

**CAPITOL RALLY
A GAY PRIDE EVENT
FRIDAY JUNE 22, 1990**

ACT UP is conducting the Gay Pride Capital Rally to be held Friday June 22nd. This rally will be an informational, educational and organizational event. ACT UP has invited community leaders to express their ideas about AIDS activism at this event. The event will begin with a free picnic at Rumours Bar in St. Paul from 4-7 p.m., including an activist video screening of both local and national AIDS actions. There will also be video footage of a live interview from the Sixth International AIDS Conference Protests in San Francisco. At 7 p.m. supporters will march to the steps of the capital led by the Minnesota Gay Freedom Band.

This is the newsletter of ACT UP MN.

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